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EXAMINER

VO, TUNG T

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

JAN 28 2008

Technology Center 2600

Application Number: 10/800,896
Filing Date: March 15, 2004
Appellant(s): SANCHEZ, STEVE

Thomas R. Lampe, Reg. No. 22,454
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 12/17/2007 and 11/15/200 appealing from the Office action mailed 07/11/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 5,343,357	Kohno et al.	08-1994
US 2001/0033344	Grein et al.	10-2001
US 6,826,859	Lin	12-2004

US 6,678,152

Kim

01-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grein et al. (US 2001/0033344) and in view of Kim (US 6,678,152).

Re claim 27, Grein teaches an apparatus (fig. 1) for connection to a flat panel TV screen (Large LCD Screen of fig. 1) to improve the appearance thereof and to facilitate operation of audio and video functions related to said flat panel TV screen (A/V receiver of fig. 1), said flat panel TV screen (Large LCD Screen of fig. 1) having a screen viewing area and a housing surrounding the screen viewing area ([0038]), said apparatus including a frame ([0038]) surrounding the screen viewing area of the flat panel TV screen when the frame is connected to the flat panel TV screen (Large LCD Screen of fig. 1), and a wireless receiver (Antenna and Wireless A/V Receiver of fig. 1; Note it is intended that all such variations and modifications which fall within the scope or spirit of the appended claims be embraced thereby [0056]; therefore, one skilled in the art would obviously arrange the antenna and wireless receiver in the frame as suggested by Grein) incorporated in said frame for receiving wireless transmissions

from a transmitter external of said frame operatively associated with audio/video equipment external of said frame and receiving electronic signals from said audio/video equipment, said receiver being operatively associated with said flat panel TV screen when the apparatus is connected to the flat panel TV screen for inputting said electronic signals into said flat panel TV screen (see details of figure 1).

It is noted that Grien does not particularly disclose a wireless receiver located in said frame and being hidden from view by an observer of said flat panel TV as claimed.

However, Kim teaches a receiver would obviously be a wireless device located in said frame and being hidden from view by an observer of said flat panel TV (col. 1, lines 53-65, fig. 20 and 30 of fig. 1). Therefore, taking the teachings of Grien and Kim as a whole, it would have been obvious to one of ordinary skill in the art to modify the teachings of Kim into the system of Grien in order to provide an improved compartment assembly for a displaying apparatus so that a wireless device. Doing so would reduce a production cost of the displaying apparatus having the wireless unit to receive video and audio signals.

3. Claims 3, 6-14, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohno et al. (US 5,343,257) in view of Grein et al. (US 2001/0033344) and in view of Lin (US 6,826,859).

Re claims 3, 6, 7-14, 24, and 26, Kohno teaches an apparatus (figs. 6-11) for connection to a flat panel TV screen (11 of fig. 7) to improve the appearance thereof and to facilitate operation of audio and video functions related to said flat panel TV screen (Note the television has audio and video functions that are operated by the user remote control), said flat panel TV

screen having a screen viewing area (11b of fig. 7) and a housing (7 and 17 of fig. 7) surrounding the screen viewing area, said apparatus including a frame (7 of fig. 7, Note the frame (7 of fig. 7) would obviously attached to or remove from the TV screen) having a frame opening (9 of fig. 7) larger than the size of the screen viewing area of the flat panel TV screen (11b of fig. 7, Note the viewing area (11b of fig. 7) is smaller than frame opening (9 of fig. 7)) and a mat releasably (17 of fig. 1, Note a cover sheet formed of a relatively non-extensible sheet-shaped material, such as nylon, would be considered as a mat) attached to said frame extending inwardly from the frame into the frame opening (7 and 9 of fig. 7), said mat (Note the mat 17 has opening (18a, 18b, 18c and 18d of fig. 9) being formed of material (nylon) allowing passage there through of wireless control transmissions (Note the nylon cover sheet (17 of fig. 7) is transparent material that would allow the control transmissions passage through to operate the television; and the television has a control receiver for receiving the transmissions from the user wireless remote control) and having a mat opening (23 and 24 of fig. 11, Note the mat opening would is adjusted to be smaller than the frame opening) smaller than said frame opening, and connector structure (7, 12a, 12b, 13, and 14 of fig. 11) for connecting said releasably attached frame (7 of fig. 7) and mat (17 of fig. 7) to said flat panel TV screen (11 of fig. 7), said mat when said releasably attached frame and mat are connected to said flat panel TV screen by said connector structure extending from said frame toward said screen viewing area (13a, 14a, 17, 7 of fig. 7) and surrounding said screen viewing area (11b of fig. 7), said mat (23 and 24 of figs. 10 and 11, Note the mat opening is adjustable in the size allow the viewing area being seen through) being sized and configured to allow viewing of said screen viewing area through said frame opening (9 of fig. 9) and through said mat opening (23 and 24 of figs. 10 and 11); said releasably attached frame (7 of fig. 7) and

mat (17 of fig. 7) cooperable to substantially cover said housing (10 of fig. 7) and substantially shield (23 and 24 of figs. 10 and 11, Note decorative plates (23 and 24 of fig. 7) would shield the housing) said housing from view by a person observing said screen viewing area while allowing control of audio and video functions by wireless control transmissions (Note the user wireless remote control); wherein said connector structure comprises a plurality of brackets attached to said frame and extending rearwardly from said frame (13, 14, 17 of fig. 7, Note the connector structure is attached to the frame (7 of fig. 7), so one skill in the art would use brackets to attach the mat to the frame (fig. 7)), said brackets defining recesses receiving said housing at spaced locations on said housing (figs. 10 and 11); and wherein said mat attachment structure (17 and 7 of fig. 7) maintains said mat in a substantially planar condition.

It is noted that Kohno does not particularly teach or suggest an electronic component receptacle operated by the wireless control transmissions as claimed.

However, Grein teaches additionally including an electronic component receptacle (fig. 1; Note Antenna, Wireless A/V Receiver, Left and Right Speaker, Remote Receiver, FM Radio, IR Motion Sensor, Sleep Timer, Small LCD, Large LCD) on said frame (see para. [0038]) and defining a receptacle interior for receiving at least one electronic component operatively associated with said flat panel TV screen (Large and Small LCDs of fig. 1) operable by wireless control transmissions from a control external of the apparatus (Wireless Remote Control or Infra-Red), said electronic component receptacle being disposed behind said frame and substantially hidden from view by a person positioned in front of said flat panel TV screen (Note the electronic component would obviously design to be hidden behind the television screen, most of the television has these features); wherein said electronic component receptacle is divided into a

plurality of compartments, each defining a compartment interior, said receptacle interior being at least partially comprised of said compartment interiors, each said compartment interior for receiving a modular electronic component operable by said wireless control transmissions (See fig. 1); additionally including receptacle connector structure releasably connecting said electronic component receptacle to said frame (Antenna and Wireless A/V Receiver of fig. 1; Note it is intended that all such variations and modifications which fall within the scope or spirit of the appended claims be embraced thereby [0056]; therefore, one skilled in the art would obviously arrange the antenna and wireless receiver in the frame as suggested by Grein, [0038]) and ; wherein said electronic component receptacle defines a plurality of primary openings communicating with said compartment interiors and facilitating selective installation or removal of said modular electronic components (fig. 1, Note all elements are open communications); wherein said electronic component receptacle additionally defines a plurality of auxiliary openings for accommodating wires extending between modular electronic components received by said compartment interiors and said flat panel TV screen (Antenna, Wireless A/V Receiver, Left and Right Speaker, Remote Receiver, FM Radio, IR Motion Sensor, Sleep Timer, Small LCD, Large LCD are wires connections); additionally comprising an electrical connector receptacle for receiving a multi-outlet electrical connector employed to provide an electrical connection between said modular electronic components and a source of electricity (Power Supply of fig. 1); wherein said electrical connector receptacle is integral with said frame (see para. [0038]).

It is noted that Grien suggests that all such variations and modifications may be made and the decorative frame may be embodiment with the television ([0056] and [0038]), this is

evidence to one skill in the to modify Grien into the apparatus of Kohno, where Kohno suggests that decorative plates would be used in the high vision system for television.

Therefore, taking the teachings of Kohno and Grein as whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Grien into the apparatus of Kohno in order to facilitate ease of viewing and use of the decorative frame. Doing so would allow the electronic receptacle to facilitate the transmission of video and sound between the interiors and exterior.

It is noted that the combination of Kohno and Grein does not particularly teach a frame having a frame top, frame bottom and frame sides defining a frame opening, and additionally comprising mat attachment structure for releasably attaching said mat to frame whereby said mat may be removed from said frame and replace by substitute mat as claimed.

However, Lin teaches a frame having a frame top, frame bottom and frame sides defining a frame opening (10 and 14 of fig. 1) and a mat attachment structure (16, 20, 22, 24, 30, and 32 of fig. 1) for releasably attaching said mat to frame whereby said mat may be removed from said frame and replace by substitute (figs. 3, 6, and 7).

Therefore, taking the teachings of Kohno, Grein, and Lin as a whole, it would have been obvious to one of ordinary skill in the art to modify the teachings of Lin into the combined apparatus of Kohno and Grein in order to provide different mat for decorative frame having frame top, frame bottom, and frame sides to facilitate viewing and use.

(10) Response to Argument

The appellant argued that the structural elements and cooperative relationships existing there-between as set forth in claim 24 is not taught by Kohno et al. , Grein et al. , or Lin, pages 8-15.

The examiner respectfully disagrees with the appellant. It is submitted that Kohno teaches a screen cover opening device for the television display any television display (flat TV) (figs. 3-9) for extending to left and right sides (18c and 18d of fig. 9) and upper and lower sides (18a and 18b of fig. 9) for the user or viewer seeing through the opening mat (23 and 24 of fig 10) to watch the television (11 of fig. 10) as flat panel. Gein teaches the wireless device (fig. 1) would be used for the television set, wherein wireless device (Antenna of fig.1) would obviously communicate with the disclosure devices (fig. 1) to transmit audio and video signal, and the flat screen of Grein would be adapted to various decorative frames that can be permanent or be capable removed or replaced with alternative frames differing in color, shape, and texture ([0038]). Lin teaches a mat that cooperates with a frame (10 and 30 of fig. 3) having a mechanism (20 of fig. 4) for rolling the mat (30 of fig.4), wherein the mat, frame and rolling mechanism are used for the television (40 of fig. 4). Since Kohno, Grein, and Lin teaches the above elements that are used for the television, therefore one skill in the art would combine the mat and frame of Lin (10 and 30 of fig. 3) into the opening mat (18a, 18b, 18c, and 18d of fig. 9) of Kohno for the mat opens for viewing television and closes with the decorative picture to improve living environment, and the well known connections of the Grein's system would be modify into the combined teachings of Kohno and Lin in order to control the audio and video

using just a remote control (Wireless Remote of fig. 1, Grein). In view of the discussion above, the claimed invention is unpatentable over the combination of Kohno, Grein, and Lin.

The appellant argued that the combination of Kohno, Grein, and Lin does not teach elements in claims 3, 7, 9-14, and 26, pages 15-20.

The examiner respectfully disagrees with the appellant. It is submitted that Kohno teaches an apparatus (figs. 6-11) for connection to a flat panel TV screen (11 of fig. 7) to improve the appearance thereof and to facilitate operation of audio and video functions related to said flat panel TV screen (Note the television has audio and video functions that are operated by the user remote control), said flat panel TV screen having a screen viewing area (11b of fig. 7) and a housing (7 and 17 of fig. 7) surrounding the screen viewing area, said apparatus including a frame (7 of fig. 7, Note the frame (7 of fig. 7) would obviously attached to or remove from the TV screen) having a frame opening (9 of fig. 7) larger than the size of the screen viewing area of the flat panel TV screen (11b of fig. 7, Note the viewing area (11b of fig. 7) is smaller than frame opening (9 of fig. 7)) and a mat releasably (17 of fig. 1, Note a cover sheet formed of a relatively non-extensible sheet-shaped material, such as nylon, would be considered as a mat) attached to said frame extending inwardly from the frame into the frame opening (7 and 9 of fig. 7), said mat (Note the mat 17 has opening (18a, 18b, 18c and 18d of fig. 9) being formed of material (nylon) allowing passage there through of wireless control transmissions (Note the nylon cover sheet (17 of fig. 7) is transparent material that would allow the control transmissions passage through to operate the television; and the television has a control receiver for receiving the transmissions from the user wireless remote control) and having a mat opening (23 and 24 of fig. 11, Note the mat opening would is adjusted to be smaller than the frame opening) smaller than said frame

opening, and connector structure (7, 12a, 12b, 13, and 14 of fig. 11) for connecting said releasably attached frame (7 of fig. 7) and mat (17 of fig. 7) to said flat panel TV screen (11 of fig. 7), said mat when said releasably attached frame and mat are connected to said flat panel TV screen by said connector structure extending from said frame toward said screen viewing area (13a, 14a, 17, 7 of fig. 7) and surrounding said screen viewing area (11b of fig. 7), said mat (23 and 24 of figs. 10 and 11, Note the mat opening is adjustable in the size allow the viewing area being seen through) being sized and configured to allow viewing of said screen viewing area through said frame opening (9 of fig. 9) and through said mat opening (23 and 24 of figs. 10 and 11); said releasably attached frame (7 of fig. 7) and mat (17 of fig. 7) cooperable to substantially cover said housing (10 of fig. 7) and substantially shield (23 and 24 of figs. 10 and 11, Note decorative plates (23 and 24 of fig. 7) would shield the housing) said housing from view by a person observing said screen viewing area while allowing control of audio and video functions by wireless control transmissions (Note the user wireless remote control); wherein said connector structure comprises a plurality of brackets attached to said frame and extending rearwardly from said frame (13, 14, 17 of fig. 7, Note the connector structure is attached to the frame (7 of fig. 7), so one skill in the art would use brackets to attach the mat to the frame (fig. 7)), said brackets defining recesses receiving said housing at spaced locations on said housing (figs. 10 and 11); and wherein said mat attachment structure (17 and 7 of fig. 7) maintains said mat in a substantially planar condition.

Moreover, Kohno teaches a screen cover opening device for the television display any television display (flat TV) (figs. 3-9) for extending to left and right sides (18c and 18d of fig. 9)

and upper and lower sides (18a and 18b of fig. 9) for the user or viewer seeing through the opening mat (23 and 24 of fig 10) to watch the television (11 of fig. 10) as flat panel.

Grein teaches additionally including an electronic component receptacle (fig. 1; Note Antenna, Wireless A/V Receiver, Left and Right Speaker, Remote Receiver, FM Radio, IR Motion Sensor, Sleep Timer, Small LCD, Large LCD) on said frame (see para. [0038]) and defining a receptacle interior for receiving at least one electronic component operatively associated with said flat panel TV screen (Large and Small LCDs of fig. 1) operable by wireless control transmissions from a control external of the apparatus (Wireless Remote Control or Infra-Red), said electronic component receptacle being disposed behind said frame and substantially hidden from view by a person positioned in front of said flat panel TV screen (Note the electronic component would obviously design to be hidden behind the television screen, most of the television has these features); wherein said electronic component receptacle is divided into a plurality of compartments, each defining a compartment interior, said receptacle interior being at least partially comprised of said compartment interiors, each said compartment interior for receiving a modular electronic component operable by said wireless control transmissions (See fig. 1); additionally including receptacle connector structure releasably connecting said electronic component receptacle to said frame (Antenna and Wireless A/V Receiver of fig. 1; Note it is intended that all such variations and modifications which fall within the scope or spirit of the appended claims be embraced thereby [0056]; therefore, one skilled in the art would obviously arrange the antenna and wireless receiver in the frame as suggested by Grein, [0038]) and ; wherein said electronic component receptacle defines a plurality of primary openings communicating with said compartment interiors and facilitating selective installation or removal

of said modular electronic components (fig. 1, Note all elements are open communications); wherein said electronic component receptacle additionally defines a plurality of auxiliary openings for accommodating wires extending between modular electronic components received by said compartment interiors and said flat panel TV screen (Antenna, Wireless A/V Receiver, Left and Right Speaker, Remote Receiver, FM Radio, IR Motion Sensor, Sleep Timer, Small LCD, Large LCD are wires connections); additionally comprising an electrical connector receptacle for receiving a multi-outlet electrical connector employed to provide an electrical connection between said modular electronic components and a source of electricity (Power Supply of fig. 1); wherein said electrical connector receptacle is integral with said frame (see para. [0038]).

In additional, Grien suggests that all such variations and modifications may be made and the decorative frame may be embodiment with the television ([0056] and [0038]), this is evidence to one skill in the to modify Grien into the apparatus of Kohno, where Kohno suggests that decorative plates would be used in the high vision system for television.

Lin teaches a frame having a frame top, frame bottom and frame sides defining a frame opening (10 and 14 of fig. 1) and a mat attachment structure (16, 20, 22, 24, 30, and 32 of fig. 1) for releasably attaching said mat to frame whereby said mat may be removed from said frame and replace by substitute (figs. 3, 6, and 7).

Since Kohno, Grein, and Lin teaches the above elements that are used for the television, therefore one skill in the art would combine the mat and frame of Lin (10 and 30 of fig. 3) into the opening mat (18a, 18b, 18c, and 18d of fig. 9) of Kohno for the mat opens for viewing television and closes with the decorative picture to improve living environment, and the well

known connections of the Grein's system would be modify into the combined teachings of Kohno and Lin in order to control the audio and video using just a remote control (Wireless Remote of fig. 1, Grein). In view of the discussion above, the claimed invention is unpatentable over the combination of Kohno, Grein, and Lin.

The appellant further argued that there is no teaching of a wireless receiver located in the frame for receiving wirelessly transmissions directed toward the frame from a transmitter external of the frame, pages 21-23.

The examiner respectfully disagrees with the appellant. It is submitted that Grein teaches Gein teaches the wireless device (fig. 1) would be used for the television set, wherein wireless device (Antenna of fig.1) would obviously communicate with the disclosure devices (fig. 1) to transmit audio and video signal, and the flat screen of Grein would be adapted to various decorative frames that can be permanent or be capable removed or replaced with alternative frames differing in color, shape, and texture ([0038]). Kim teaches a receiver located in said frame and being hidden from view by an observer of said flat panel TV (col. 1, lines 53-65, fig. 20 and 30 of fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art to modify the receiver of Kim into the frame of Grien in order to provide an improved compartment assembly for a displaying apparatus so that a wireless device. In view of the discussion above, the claimed invention is unpatentable over the combination of Grein and Kim.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

Tung Vo


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PRIMARY EXAMINER

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